

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8111 OF 2006

Ashok Govind Walunj)..Petitioner

Versus

The State of Maharashtra & Anr.)..Respondents

Mr.Uday Warunjikar for the petitioner

Mr.P.P.Kakade AGP for respondent no.1.

**Coram : S.B.Mhase &
R.S.Mohite, JJ**

Date : 18.04.2007

PC

1. Heard.

2. Larned Counsel Mr.Warunjikar for the petitioner states that he may be allowed to withdraw the petition with liberty to follow an alternate available remedy. Petition is allowed to be withdrawn with such liberty. However, we make it clear that whether the period of pendency of this petition in this Court shall be treated as a period for bonafidely prosecuting the remedy or not under the Limitation Act shall be independently considered by the concerned authority if the appeal is found to be beyond limitation by the said authority.

(R.S.Mohite, J)

(S.B.Mhase, J)